

GOVERNMENT OF ANDHRA PRADESH
A B S R A C T

Social Welfare Department—Land Acquisition for House Sites – West Godavari District – Non Municipal area of Eluru Village & Mandal – Sanction of Rs.29,46,889/- towards payment of Balance decretal charges in AS No.91/98 in OP No.124/84 – Orders- Issued.

SOCIAL WELFARE (LA.1) DEPARTMENT

G.O Rt.No. 538

Dated: 31.07.2013

Read the following

1. From the Dist Collector, West Godavari, Lr.No.G1/32/2005(SW), dt.1.12.2010.
2. From the CSW, A.P., Hyderabad Lr.No.LA3/11334/2005, dated 20.12.2010
3. From the Dist Collector, West Godavari, Lr.No.G1/32/2005(SW), dt.27.7.2011
4. From the Spl CS&CCLA, A.P., Hyderabad Lr.No.S2/174/2012, dt.25.02.2013.

O R D E R:

In the reference 4th read above, the Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has stated that the LAO/Tahsildar, Eluru has acquired land measuring Ac.2.32 ¾ Cts in R.S.No. 780,781 etc., situated at Eluru Non- Municipal area, Eluru Mandal, West Godavari District through an Award No. 7/82-83, dated 20.12.1982 for provision of house sites to the weaker section people of Eluru Mandal and the LAO/Tahsildar, has fixed the land value @ Rs. 42,350/- per acre. Aggrieved by the fixation of market value, the claimant Sri Vennavalli Seshagiri Rao had filed O.P. No.124/84 in respect of Ac. 2.32 ¾ Cts in R.S.No. 780,781 etc., in Eluru Non- Municipal area, Eluru Mandal , U/s 18 of LA Act before Hon'ble Principal Subordinate Judge Court at Eluru and the Lower Court had issued orders dated 25.04.1997 in OP No.124/84, as follows :

1. That the claimant is entitled for enhanced market value at the rate of Rs.75,000/- per acre.
2. That the claimant is entitled to solatium under section 23(2) of the Act at 30% on the enhanced market value.
3. That the Claimant is entitled for addl. Amount calculated at 12% per annum on the enhanced market value U/s 23(1A) of the Act from the date of section 4(1) notification (30.01.1982) to the date of possession taken (20.06.1982).
4. That the claimant is entitled for interest u/s. 28 of the act at the rate of 9% per annum on the enhanced market value from the date of taking possession for first one year and 15% after the expiry of one year till the date of deposit into the court and
5. That the claimant is entitled to Rs. 600/- towards advocate's fee.

Aggrieved by the Lower Court orders dated 25.04.1997 in OP. No.124/84 the awardees preferred an appeal before Hon'ble High Court. The Hon'ble High Court in its order dt : 18.02.2010 in Appeal No. 91 of 1998 issued orders as follows :

1. That the M.V. of acquired land is fixed to 50/- per Sq. yd
2. the Claimant is entitled to all the statutory benefits.
3. 12% Additional Market Value from the date of notification till the date of taking possession of land, which is earlier.
4. 30% Solatium on MV.
5. interest @ 9% per annum from the date of taking possession upto one year there after, at 15% p.a. till realization.

2. The Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has further stated that the Government Pleader for Appeals, Hon'ble High Court of A.P, Hyderabad in his Lr dated 26.07.2010 has advised to comply the Hon'ble High Court orders. The District Collector, West Godavari has submitted proposals to the Commissioner of Social Welfare, A.P., Hyderabad for sanction of Rs.29,69,952/-, in As No.91/98 in OP No.124/84 towards payment of decretal charges for

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the land acquired to an extent of Ac.2.32 $\frac{3}{4}$ Cts in R.S.No : 780, 781 etc., situated at Eluru Non- Municipal area, Eluru Mandal and town of West Godavari District for providing house sites to the weaker section people.

3. The Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad after verification and scrutiny of the proposals submitted by the District Collector, West Godavari/Commissioner of Social Welfare, A.P., Hyderabad has sent comparative calculation sheet for an amount of Rs.29,46,889/- in AS No.91/98 in OP No. 124/84 towards payment of decretal charges for the land acquired to an extent of Ac.2.32 $\frac{3}{4}$ Cts in R.S.No. 780,781 etc., situated at Eluru Non- Municipal area Eluru Mandal and town of West Godavari District for providing house sites to the weaker section people.

4. Government, after careful examination of the above proposal, hereby accord permission to the Commissioner of Social Welfare, A.P., Hyderabad for release an amount of Rs.29,46,889/-(Rupees twenty nine lakhs forty six thousand eight hundred and eighty nine only) to the District Collector, West Godavari District in AS No.91/98 in OP No. 124/84 towards payment of decretal charges for the land acquired to an extent of Ac.2.32 $\frac{3}{4}$ Cts in R.S.No. 780,781 etc., situated at Eluru Non- Municipal area Eluru Mandal and town of West Godavari District for providing house sites to the weaker section people.

5. The expenditure sanctioned in para (4) above shall be met within the BE.2013-14 and debited to the following Head of Account.

“2225-Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes – 01 – Welfare of Scheduled Castes – M.H.283- Housing – G.H.11-Normal State Plan – SH(08) Acquisition of House Sites to weaker sections in Indiramma Programme – 310/312 – Other Grant – in – Aid”.

6. The Commissioner of Social Welfare, A.P., Hyderabad is directed to issue necessary Proceedings to the District Collector, West Godavari to comply with the Hon'ble Court orders in AS No.91/98 in OP No. 124/84.

7. The District Collector, West Godavari, shall verify the calculation sheet submitted by the Land Acquisition Officer once again, as per existing rules, before issue of Proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

8. This order does not require the concurrence of Finance (Expr.SW) Department, as per their instructions vide U.O Note No.12869/196/A1/Expr.SW/2009 dated 22.05.2009 and U.O No. 15926/256/A1/1/Expr.SW/09, dated 17.08.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**J. RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Special Chief Secretary & Chief Commissioner of Land Administration,
A.P., Hyderabad

The Commissioner of Social Welfare, A.P., Hyderabad,
The District Collector, West Godavari

Copy to:

The Director of Treasury & Accounts, A.P., Hyderabad,
The Accountant General, A.P., Hyderabad,
The District Treasury Officer, West Godavari District.
Finance (Exp.SW/BG) Department
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER